

# HB5572



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5572

by Rep. Jim Durkin

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/5-2

from Ch. 122, par. 5-2

Amends the Trustees of Schools Article of the School Code. Provides that the trustees of schools' power to sue is subject to the prior approval of two-thirds of those school boards whose school districts are subject to the jurisdiction and authority of the trustees of schools. Effective immediately.

LRB098 17335 NHT 52431 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 5-2 as follows:

6 (105 ILCS 5/5-2) (from Ch. 122, par. 5-2)

7 Sec. 5-2. Governing board. The school business of all  
8 school townships having school trustees shall be transacted by  
9 three trustees, to be elected by the qualified voters of the  
10 township, as hereinafter provided. The trustees shall be a body  
11 politic and corporate, by the name of "trustees of schools of  
12 township No. ...., range No. ....," according to the number, or  
13 in case of school townships created from two or more  
14 congressional townships, such name shall be "trustees of ....  
15 township .... county, Illinois." Such corporation shall have  
16 perpetual existence, with power to sue and be sued, and to  
17 plead and be impleaded, in all courts and places where judicial  
18 proceedings are had. However, the power to sue is subject to  
19 the prior approval of two-thirds of those school boards whose  
20 school districts are subject to the jurisdiction and authority  
21 of the particular trustees of schools.

22 (Source: Laws 1961, p. 31.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.